

ZON03-00081



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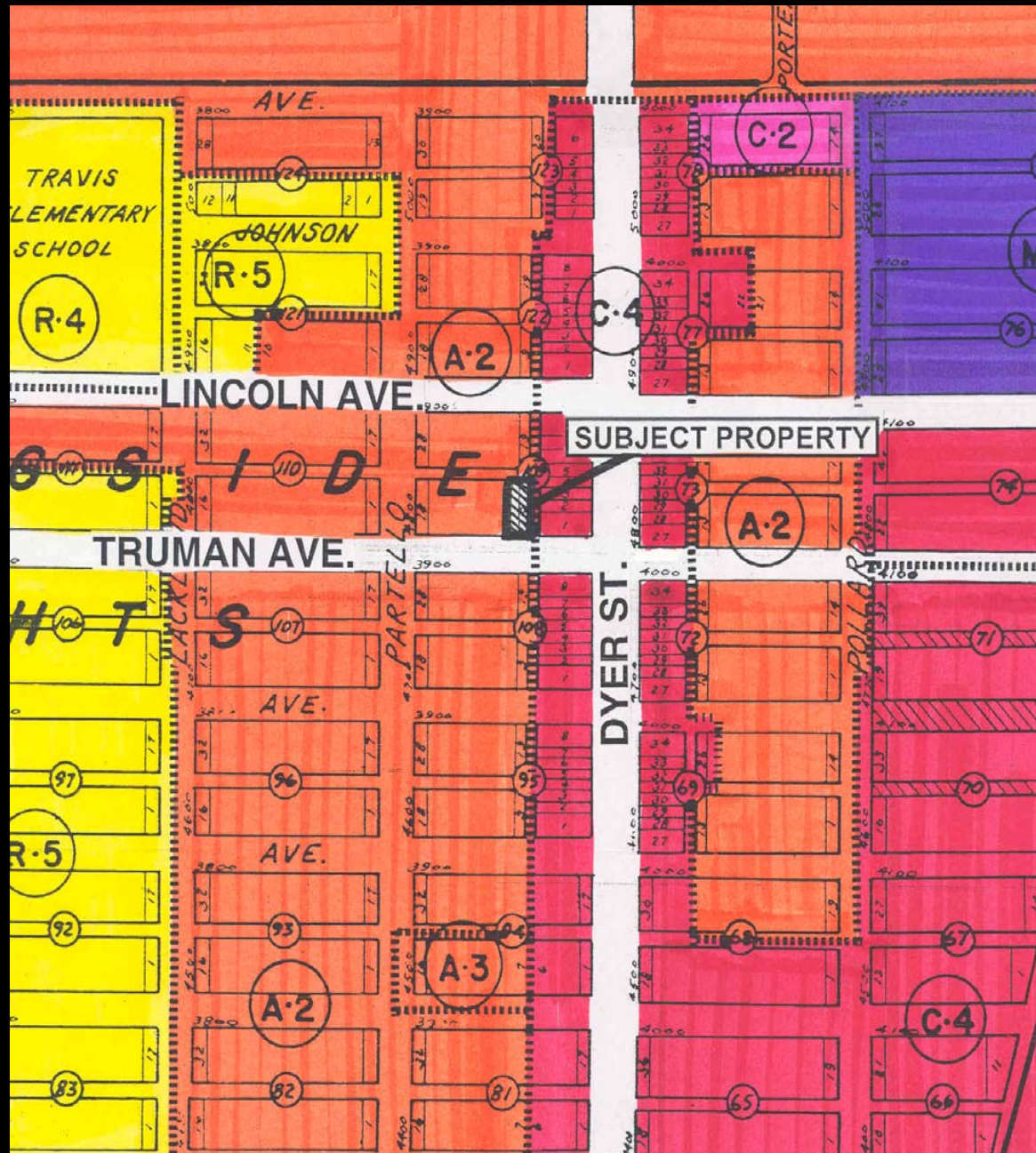


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ORDINANCE NO. _____

AN ORDINANCE CHANGING THE ZONING OF LOTS 9 - 11, BLOCK 109, MORNINGSID HEIGHTS, EL PASO, EL PASO COUNTY, TEXAS (3927 TRUMAN AVENUE) FROM A-2 (APARTMENT) TO S-D (SPECIAL DEVELOPMENT) AND IMPOSING CERTAIN CONDITIONS. THE PENALTY BEING AS PROVIDED IN CHAPTER 20.68 OF THE EL PASO MUNICIPAL CODE.

That the zoning of *Lots 9 - 11, Block 109, Morningside Heights, El Paso, El Paso County, Texas*, be changed from **A-2 (Apartments)** to **S-D (Special Development)**, within the meaning of the zoning ordinance, and that the zoning map of the City of El Paso be revised accordingly; and

That the property be subject to the following conditions which are necessitated by and attributable to the increased intensity of use generated by the change of zoning **from A-2 (Apartment) to S-D (Special Development)** in order to protect the health, safety and welfare of adjacent property owners and the residents of this City:

The following uses are prohibited:

1. Automotive tune-up service
2. Automotive and light truck lubrication service
3. Gasoline or diesel fueling pumps for refueling motor vehicles

These conditions shall run with the land, are a charge and servitude thereon, and bind the current property owner and any successors in title. The City may enforce these conditions by injunction, by rescission of the zoning which is made appropriate as a result of these conditions, or by any other legal or equitable remedy. The City Council of the City of El Paso may amend or release the above conditions in its discretion without the consent of any third person who may be benefited thereby, and without affecting the validity of this Ordinance.

3/4/2004

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PASSED AND APPROVED this 30th day of **March, 2004**.

THE CITY OF EL PASO

Joe Wardy
Mayor

ATTEST:

Richarda Duffy Momsen
City Clerk

APPROVED AS TO CONTENT:

Fred Lopez, Zoning Coordinator
Planning, Research & Development

Rodolfo Valdez, Chief Urban Planner
Planning, Research & Development

Acknowledgment

THE STATE OF TEXAS)
)
COUNTY OF EL PASO)

This instrument is acknowledged before me on this _____ day of _____, 2004,
by **JOE WARDY** as **MAYOR** of THE CITY OF EL PASO.

My Commission Expires:

Notary Public, State of Texas
Notary's Printed or Typed Name:

3/4/2004

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